

DEPARTMENT OF THE NAVY
VIOLATIONS OF DEPARTMENT OF DEFENSE DIRECTIVE 1010.10

The Department of the Navy, Office of the Chief of Naval Operations, issued OPNAV Instruction 6100.2 on February 25, 1992 to "establish a comprehensive U.S. Navy Health Promotion Program that encourages healthy lifestyles and increases organizational and individual readiness."

OPNAV Instruction 6100.2 is inconsistent with Department of Defense Directive 1010.10, the current official position of the DoD on the sale and use of tobacco products in the military. Unlike the DoD directive the Navy instruction classifies smokers as addicts and resolves all conflicts in favor of non-smokers. In press reports at the time of the issuance of the instruction, a Navy spokesperson made its position very clear: "The aim is a smoke-free Navy by the year 2000." Navy officials also said that the instruction isn't the end of its anti-smoking campaign. It is entirely possible even tougher rules -- perhaps affecting the careers of smokers -- may be issued in the future. DoD policy clearly states: "While there is no intention to FORCE any changes in anyone's behavior with respect to activities that are not illegal.....".

Unfortunately, the interpretation of the instruction by Navy personnel at all levels differs. It has become apparent over the year since the instruction was issued that some personnel believe they have total discretion to exceed the policy guidelines set forth in the instruction, particularly as it relates to the use and sale of tobacco products. Consider the following quotes from the instruction:

"The Navy does not prohibit tobacco use, but employs a positive educational and awareness approach that is designed to provide the least disruption while improving the state of health and military readiness. Where conflicts arise between the rights of smokers and rights of the nonsmokers, those of the nonsmokers shall prevail."

"Promote a smoke-free social environment by the following actions: (1) Set personal example through leadership at all levels of command in implementation and adherence to the tobacco use policy established by this instruction. (2) Encourage tobacco users to stop and non-users to refrain from starting."

"The policy provisions of subparagraphs 4c(1) through (6) and action items of subparagraph 13F in enclosure (1) are not intended to be punitive [emphasis added]. Individual commands may, at their discretion, establish these provisions to be punitive [emphasis added] in their implementation of this instruction." (Note: these subparagraphs relate to tobacco use prevention and cessation and and the promotion of a smoke-free work environment by establishing designated smoking areas).

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"Promote a smoke-free environment by establishing designated smoking areas for all Navy facilities and occupied spaces. The following provides guidance for implementing tobacco use policy: (1) Issue a written tobacco use policy which includes a list of designated smoking areas and restricts tobacco use to designated areas only. (2) Make every attempt to eliminate smoking indoors, thereby eliminating the health hazard of environmental tobacco smoke. Use outside areas of buildings or ships as preferred smoking locations for those who choose to smoke."

"All personnel are ultimately responsible for their own lifestyle choices and physical readiness. All personnel shall become familiar with the Health Promotion Program policies, objectives, and assistance resource."

The Navy Exchange Command (NEXCOM) sets policy for the sale of tobacco products in its exchanges, and NEXCOM's ships division directs policy for the sale of tobacco products aboard Navy ships afloat. Unfortunately, some commanding officers of Navy ships have assumed the policy-making function (see charts attached).

NEXCOM's policy regarding the sale of tobacco products is in full compliance with DoD Directive 1010.10 -- they continue to offer a variety of brands to choose from and add a standard markup in the sale of the products. Such a policy is consistent with NEXCOM's outside-the-gate competition. NEXCOM does not favor a change in current policy.

Ships' captains get together periodically to discuss options to reduce smoking, but up until now no commanding officer of a ship has initiated a policy that will FORCE sailors to alter their lifestyle choices. The commanding officer of the USS Theodore Roosevelt has directed the immediate removal of tobacco products from the Roosevelt, and the ship will become smoke-free in July 1993. If implemented, the policy will ELIMINATE the sale and ALL use of tobacco products aboard the ship since designated smoking areas will disappear completely. These initiatives VIOLATE DoD Directive 1010.10 and OPNAV Instruction 6100.2.

It is reported that the commanding officer of the USS Theodore Roosevelt does not favor the smoke-free policy, but was directed to implement it. Allegedly, sailors who choose to smoke have said they will not comply with the order. The reason: They feel they serve in the Navy to protect the rights and freedom of all Americans and they believe it is their right to have freedom of choice in this lifestyle decision.

The policy of the USS Theodore Roosevelt should be rescinded immediately. It clearly violates DoD Directive 1010.10 and OPNAV Instruction 6100.2.

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NORFOLK BASED SHIPS AFLOAT -- CATEGORIES WHERE SHIPBOARD TOBACCO
USE AND PURCHASE ARE ADVERSELY AFFECTED BY SHIP POLICIES

*SHIPS WHO CARRY ONLY TAX PAID CIGARETTES

Kennedy CV-67	Complement:	5,680
Enterprise CVN-66		5,639
Washington CVN-73		6,024
Monongehala AO-178		217

*Note: Ships are allowed to sell tax-free cigarettes once they are three miles off-shore. Currently, there is only one Navy ship (not based in Norfolk) that sells tax-free cigarettes.

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NORFOLK BASED SHIPS AFLOAT -- CATEGORIES WHERE SHIPBOARD TOBACCO
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SHIPS CARRYING FOUR OR LESS BRANDS OF CIGARETTES

Boulder LST-1190	Complement:	265
LaMoure County LST-1194		267
Hunley AS-31		950
Nashville LPD-13		510
Portland LSD-37		374
Yorktown CG-48		368

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**NORFOLK BASED SHIPS AFLOAT -- CATEGORIES WHERE SHIPBOARD TOBACCO
USE AND PURCHASES ARE ADVERSELY AFFECTED BY SHIP POLICIES**

***NON-SMOKING SHIPS**

Connolly DD-879	Complement:	339
Bowen FF-1079		288
Anzio CG-68		368
Arleigh Burke DDG-51		335
**Peterson DD-969		339
Eisenhower CVN-69		6,024
Biddle CG-34		497
Caron DD-970		339
Shreveport LPD-12 (effective 2-93)		624
Platte AO-166 (effective 4-93)		217
Virginia CGN-38 (effective 4-93)		624
***Roosevelt CVN-17 (effective 3-93)		5,936
Mount Whitney LCC-20		1,050
Simon Lake AS-33		950

*Non-smoking ships do not sell tobacco products, but allow crew to smoke in designated areas. The non-smoking ship policy violates DoD Directive 1010.10 and OPNAV Instruction 6100.2.

***The Roosevelt is an exception to the non-smoking rule. Before it leaves Norfolk on Thursday, March 11 for a six-month cruise, the ship will remove all tobacco products for sale in its ships' store (currently only two brands are carried). In July 1993, the Roosevelt will eliminate all designated smoking areas and will become totally smoke-free.

**Recently, after being a non-smoking ship for 5-6 years, the Peterson has again become a smoking ship. The policy changed when the current CO assumed command. Apparently he smokes.

Note: Cigarette sales account for 40% of the revenues generated for MWR activities aboard ships.

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